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IN THE CIRCUIT COURT OF THE STATE OF OREGON
IN AND FOR THE COUNTY OF UMATILLA

JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION

Case No. 17CV04176

Plaintiff,

WRIT OF EXECUTION

vs.

ANDREW MORREIRA; PARTIES IN
POSSESSION

Defendants.

TO: UMATILLA COUNTY SHERIFF

WHEREAS, on May 24, 2017, in the above-entitled court, a General Judgment of Foreclosure and Sale, with said Judgment containing therein a Declaration of Amount Due and was duly entered and docketed in the above-entitled cause

NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are hereby commanded to sell, in the manner prescribed by law for the sale of real property upon execution (subject to redemption) all of the interest which the defendants had on April 14, 2008, the date of the deed of trust, and also all of the interest which the defendants acquired thereafter, in the real property described in the judgment:

DESCRIBED IN THE DEED OF TRUST AS:
SEE COMPLETE LEGAL DESCRIPTION ATTACHED AND INCORPORATED HERETO
AS EXHIBIT 1

1- WRIT OF EXECUTION
S&S No. 15-117390

SHAPIRO & SUTHERLAND, LLC
1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683
Telephone (360)260-2253 (800)970-5647
Fax (360)260-2285
ksutherland@logs.com

1 AND MORE ACCURATELY DESCRIBED AS:
2 SEE COMPLETE LEGAL DESCRIPTION ATTACHED AND INCORPORATED HERETO
3 AS EXHIBIT 2

4 and commonly known as 1205 Parallel Street, Milton Freewater, OR 97862 to satisfy the sum of
5 \$282,875.57, as of November 29, 2017, together with additional post judgment interest of 9.00%
6 from that date (\$66.64 per day), and costs of this execution, making due return within 60 days
7 after you receive this writ.

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25 2- WRIT OF EXECUTION
26 S&S No. 15-117390

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1 JPMorgan Chase Bank, National Association is the Judgment Creditor, and its address for
2 purpose of this writ only is: C/O Shapiro & Sutherland, LLC, 1499 SE Tech Center Place, Suite
3 255, Vancouver, WA 98683 (360)260-2253. Shapiro & Sutherland, LLC is the attorney for the
4 Judgment Creditor.
5
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7



dated: Dec. 4, 2017

Johnson
court clerk

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10
11
12 Submitted by:
13 Attorneys for Plaintiff,
14 SHAPIRO & SUTHERLAND, LLC

15 By: _____

- 16 James A. Craft #090146 [jcraft@logs.com]
 - 17 Kelly D. Sutherland #87357 [ksutherland@logs.com]
 - 18 Cara J. Richter #094855 [crichter@logs.com]
 - 19 Holger Uhl #950143 [huhl@logs.com]*
 - 20 Joshua R. Orem # 116872 [jorem@logs.com]*
- 21 1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683
22 7632 SW Durham Road, Suite 350, Tigard, OR 97224*
23 (360)260-2253; Fax (360)260-2285

24
25
26 3- WRIT OF EXECUTION
S&S No. 15-117390

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28
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Exhibit 1

Beginning at the Southeast corner of the Southwest Quarter of the Southwest Quarter of Section 36, Township 6 North, Range 35, East of the Willamette Meridian, Umatilla County, Oregon; thence West along the South line of said Section 36, a distance of 351.50 feet to the Southwest corner of that tract of land conveyed to Paul Roger Seaquist, by Deed recorded in Book 328, Page 574, Umatilla County Deed Records, and the true point of beginning for this description; thence North along the East line of said Seaquist tract and along a tract of land conveyed to Paul Roger Seaquist by Deed recorded in Book 321, Page 301, said Deed Records, 260 feet, more or less, to a point on the Southerly line of that tract of land conveyed to Upper Columbia River Mission Society of Seventh Day Adventists, by Deed recorded in Book 306, Page 620, said Deed Records; thence East along said line of Adventists tract and South line extended Easterly to a point on the Westerly right of way line of State Highway No. 11; thence South along said Westerly right of way to the South line of said Section 36; thence West along said South line to the point of beginning;

EXCEPTING THEREFROM that tract of land conveyed to J.L. Perkins, et ux, be Deed Recorded in Boos 260, Page 326, Umatilla County Deed Records;

ALSO EXCEPTING THEREFROM that tract of land conveyed to Ray Sharp by Deed Recorded in Book 283, Page 574, Umatilla County Deed Records.

Exhibit 2

Beginning at the Southeast corner of the Southwest Quarter of the Southwest Quarter of Section 36, Township 6 North, Range 35 East of the Willamette Meridian, Umatilla County, Oregon; thence West along the South line of said Section 36, a distance of 351.50 feet to the Southwest corner of that tract of land conveyed to Paul Roger Seaquist, by Deed recorded in Book 328, Page 574, Umatilla County Deed Records, and the true point of beginning for this description; thence North along the East line of said Seaquist tract and along a tract of land conveyed to Paul Roger Seaquist by Deed recorded in Book 321, Page 301, said Deed Records, 260 feet, more or less, to a point on the Southerly line of that tract of land conveyed to Upper Columbia River Mission Society of Seventh Day Adventists, by Deed recorded in Book 306, Page 620, said Deed Records; thence East along said line of Adventists tract and South line extended Easterly to a point on the Westerly right of way line of State Highway 11; thence South along said Westerly right of way to the South line of said Section 36; thence West along said South line to the point of beginning;

EXCEPTING THEREFROM that tract of land conveyed to J.L. Perkins, et ux, by Deed recorded in Book 260, Page 326, Umatilla County Deed Records;

ALSO EXCEPTING THEREFROM that tract of land conveyed to Ray Sharp by Deed recorded in Book 283, Page 37, Umatilla County Deed Records.

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IN THE CIRCUIT COURT OF THE STATE OF OREGON
IN AND FOR THE COUNTY OF UMATILLA

JPMORGAN CHASE BANK, NATIONAL ASSOCIATION,

Plaintiff,

vs.

ANDREW MORREIRA; PARTIES IN POSSESSION,

Defendants.

Case No. 17CV04176

GENERAL JUDGMENT OF FORECLOSURE AND SALE

Default having been entered against Defendant(s), Andrew Morreira:

It is hereby

ORDERED AND ADJUDGED:

- 1. The real property to which this judgment relates (hereafter the "Property") is situated in Umatilla County, Oregon is commonly known as 1205 Parallel Street, Milton Freewater, OR 97862 and is legally described as follows:

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1 - GENERAL JUDGMENT OF FORECLOSURE AND SALE
S&S No. 15-117390

SHAPIRO & SUTHERLAND, LLC
1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683
Telephone (360)260-2253 (800)970-5647
Fax (360)260-2285
ksutherland@logs.com

1 Described in the Deed of Trust as:
2 See complete Legal Description attached and incorporated hereto as Exhibit 1

3 And more accurately described as:
4 See complete Legal Description attached and incorporated hereto as Exhibit 2

- 5 2. The Deed of Trust executed and delivered by Defendant, Andrew Morreira, a Single
6 Individual ("Borrower") on or about April 14, 2008 and recorded on April 30, 2008 as
7 Instrument No. 2008-5360349 in the official records of Umatilla County, Oregon, is a valid
8 and perfected lien against all of the Property for the amount of Plaintiff's judgment as
9 provided herein.
- 10 3. The Plaintiff is the holder of the original note dated April 14, 2008 and made by Andrew
11 Morreira in the amount of \$171,428.00. A copy of the Note was attached to the complaint
12 as Exhibit. Plaintiff is the holder of the Note and the beneficial interest in the Deed of Trust
13 (together the "Loan").
- 14 4. The interest of each of the Defendant(s) subject to this Judgment and any successor in
15 interest in the Property is foreclosed and terminated excepting only any statutory right of
16 redemption as provided by Oregon law.
- 17 5. The lien of the Plaintiff is superior to any interest, lien, or claim of the remaining
18 Defendants and shall remain in effect until issuance of a Sheriff's Deed. Upon Motion to
19 the Court and good cause shown, Plaintiff may move to rescind the foreclosure judgment
20 and to reinstate the Loan prior to the Sheriff's sale, returning the parties to their prejudgment
21 interests and priorities.

22 //

- 1 6. The Defendant(s) are not entitled to a homestead exception as against Plaintiff's judgment.
- 2 7. All of the rights, title and interest that Borrower(s) had as of the date of the Deed of Trust or
- 3 thereafter acquired in the subject Property, is hereby ordered to be sold by the Umatilla
- 4 County Sheriff's Office in accordance with the process for sale upon execution, and the
- 5 proceeds of sale shall be applied; first to the costs of sale; second to satisfaction of the
- 6 amounts awarded Plaintiff herein; with the surplus, if any, to the Defendants in the priority
- 7 as their interest may appear or to the clerk of the court to be distributed to such party of
- 8 parties as may establish their right thereto.
- 9
- 10 8. Plaintiff or any junior lienholders may become purchaser at the sale of the Property.
- 11 9. The purchaser at the sale is entitled to exclusive and immediate possession of the Property
- 12 from and after the date of the sale and is entitled to such remedies as are available at law or
- 13 in equity to secure possession.
- 14
- 15 10. The purchaser at the sale may apply to the Court for a writ of assistance if any Defendant or
- 16 any person holding possession under or through such Defendant(s) shall refuse to surrender
- 17 possession to the purchaser immediately on the purchaser's demand for possession.

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25 3 - GENERAL JUDGMENT OF FORECLOSURE AND
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11. Under the terms of the Loan there is now due and owing to Plaintiff the following amounts:

Principal		\$167,846.93	
Prejudgment interest at 0% through March 31, 2017 (accruing thereafter until entry of judgment at \$27.59 per diem/)			\$72,173.78
Late Charges		\$0.00	
Other Costs and fees (recoverable)		24,220.04	
	Hazard Insurance	\$11,963.00	
	Property Inspections	\$406.00	
	Property Preservation	\$220.00	
	Escrow - Real Estate Tax - 2016	\$1,926.92	
	Escrow - Real Estate Tax - 2015	\$1,898.52	
	Escrow - Real Estate Tax - 2014	\$1,822.13	
	Previous Escrow Real Estate Tax (cumulative)	\$8,085.18	
	Escrow Credits	\$-1,442.44	
	Suspense Balance	(\$659.27)	
	Subtotal		\$192,066.97
	Total plus Prejudgment Interest		\$264,240.75

12. Attorney Fees and Costs are awarded to Plaintiff as follows:

Costs			\$1,800.00
	Title Search Cost	\$630.00	
	Skip Trace Costs	\$75.00	
	Filing Fee	\$531.00	
	Lis Pendens Recording Fee	\$69.00	
	Service Costs	\$220.00	
	Prevailing Party Fee	\$275.00	
Attorney fees			\$2,750.00
Total			\$4,550.00

4 - GENERAL JUDGMENT OF FORECLOSURE AND SALE
S&S No. 15-117390

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1 13. Post judgment interest on the aggregate of all amounts declared due above shall accrue from
2 the date of judgment at the legal rate of 9% per annum pursuant to ORS 82.010.

3 14. This Judgment shall not create a personal lien or liability against Borrower except as is
4 customary or necessary to execute on such Judgment and for purposes of redemption. In no
5 event should it be construed as establishing personal liability for any persons whose debt has
6 been extinguished in bankruptcy or by an In Rem order granting relief from stay, but only to
7 foreclose the deed of trust mortgage. In the event the proceeds of sale are insufficient to pay
8 the amounts due to Plaintiff, no general execution shall be issued and Plaintiff shall not be
9 entitled to any further judgment, including a judgment for deficiency.

10 15. Execution may issue against the subject property for the aggregate amount found due
11 Plaintiff herein as detailed in Paragraphs 11 through 13 together (together "Amounts Due").
12 Plaintiff may credit bid up to the Amounts Due plus such additional amounts as provided by
13 ORS 18.936 or other applicable law.

14 16. If before sale such amount, including sheriff's fees for the execution, is tendered to the
15 Court and paid to the clerk, the execution, if issued, shall be recalled and the effect of the
16 judgment as to the amounts due shall be terminated.

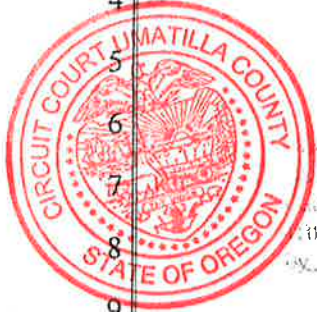
17 17. The Clerk of the Court is hereby ordered to issue a Writ of Execution in Foreclosure for the
18 sale of the Property. Plaintiff may credit bid the amounts determined in Paragraphs 11
19 through 13 plus such additional amounts as provided in Paragraph 16 for purposes of ORS
20 18.936.

1 18. This Court shall retain jurisdiction to enter such additional order, judgment or decree
2 necessary to enforce this judgment, the writ of execution or for the purchaser at the
3 foreclosure sale to obtain possession.

Signed: 5/23/2017 02:07 PM



Christopher R. Brauer, Circuit Court Judge



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VERIFIED TO BE A TRUE AND
CORRECT COPY OF THE ORIGINAL

Dec. 4th 2017
Johnson
Court Clerk

Certificate of Readiness under UTCR 5 100

10 This proposed order or judgment is ready for judicial signature because:

- 11 1. Each party affected by this order or judgment has stipulated to the order or judgment, as
12 shown by each party's signature on the document being submitted.
13 2. Each party affected by this order or judgment has approved the order or judgment, as
14 shown by each party's signature on the document being submitted or by written confirmation of
15 approval sent to me.
16 3. I have served a copy of this order or judgment on each party entitled to service and:
17 a. No objection has been served on me.
18 b. I received objections that I could not resolve with a party despite reasonable efforts to do
19 so. I have filed a copy of the objections I received and indicated which objections remain
20 unresolved.
21 c. After conferring about objections, [role and name of objecting party] agreed to
22 independently file any remaining objection.

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6 - GENERAL JUDGMENT OF FORECLOSURE AND
SALE
S&S No. 15-117390

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- 1 4. Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or
2 otherwise. UTCR 8/1/16 5.5 (including out-of-cycle amendment of 5.100)
3 5. This is a proposed judgment that includes an award of punitive damages and notice has
4 been served on the Director of the Crime Victims' Assistance Section as required by subsection
5 (5) of this rule.
6 6. Other: _____

7 Dated: May 18, 2017

8 Submitted by:

9 Attorneys for Plaintiff,
10 SHAPIRO & SUTHERLAND, LLC

11 By: 

James A. Craft #090146 [jcraft@logs.com]

Kelly D. Sutherland #873575

12 [ksutherland@logs.com]

Cara J. Richter #094855 [crichter@logs.com]

13 Holger Uhl #950143 [huhl@logs.com]*

14 Joshua R. Orem # 116872 [jorem@logs.com]*

1499 SE Tech Center Place, Suite 255, Vancouver,

15 WA 98683

7632 SW Durham Road, Suite 350, Tigard, OR

16 97224*

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25 7 - GENERAL JUDGMENT OF FORECLOSURE AND
26 SALE
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Exhibit 2

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